

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS' MEETING  
GOVERNMENTAL CENTER  
Tuesday, September 26, 2006**

**Present:** Commissioner President Thomas F. McKay  
Commissioner Kenneth R. Dement  
Commissioner Lawrence D. Jarboe  
Commissioner Thomas A. Mattingly, Sr.  
Commissioner Daniel H. Raley  
George G. Forrest, County Administrator  
Betty Jean Pasko, Senior Admin. Coordinator (Recorder)

**BUDGET WORK SESSION**

Present: Elaine Kramer, CFO  
Jeannett Cudmore, Deputy Director, Finance

The following items were discussed and directions given to staff during the Budget Work Session:

- Current Status of the BOCC Reserve for Emergency Appropriations
- Review of Addition to Reserve (exempt financing savings)
- Review of Items Identified by BOCC and Staff for Potential Use of the Reserve
- BOCC Identification of the Uses of the Reserve to be Considered for Action on a Budget Amendment

Workers Comp premium increase - *Staff was directed to come back with a Budget Amendment (from each department or agency) that reflects savings within their salaried accounts or benefits accounts based on departments that caused or significantly contributed to the increase. The Board discussed that this is an operational cost that should have been budgeted for (within those departments that are experiencing the rate increases), and the balance increase should be taken out of their existing budgets.*

Overtime – *Costs should be absorbed into department budgets. If OT costs cannot be absorbed, department(s) will need to come back to the BOCC and explain the OT need.*

Amanda Exercise – The Commissioners unanimously authorized preparing the Budget Amendment to cover costs for this tabletop exercise.

Marcy House – Preparing the Budget Amendment was authorized by the Commissioners 4 – 1. (Raley voted no). There should be follow-up with the Health Dept. to determine where the grant funds (now passed through the Health Dept. instead of the County) are being used.

Tri-County Youth Services - The Commissioners unanimously authorized preparing the Budget Amendment. Commissioner McKay suggested that Tri-County Youth Services be brought in to make a presentation during the budget process next year.

SMARTCO - The Commissioners unanimously authorized preparing the Budget Amendment for one-time funding to support lease and transition costs. Mr. Forsman agreed to support reducing the volunteer service agreement from 40 hours to 20 for St. Mary's County residents.

College of Southern Maryland – The Commissioners elected to keep the County's allocation of funding to the CSM for FY2007 as previously approved during the budget process and not to provide the requested additional funding.

The BOCC meeting was called to order at 9:30 am.

#### **DELETION TO AGENDA**

The 10:30 Public Hearing on Proposed Amendments to the Ethics Ordinance was incorrectly advertised and will be readvertised and rescheduled.

#### **APPROVAL OF CHECK REGISTER**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register, as presented. Motion carried 5-0.**

#### **APPROVAL OF MINUTES**

**Commissioner Mattingly moved, seconded by Commissioner Dement, to adopt the minutes of the Commissioners' meeting of September 19, 2006, as presented. Motion carried 5-0.**

#### **PROCLAMATIONS AND COMMENDATIONS**

Rose Thompson was presented a Proclamation celebrating her retirement and 29 years of service.

A Proclamation was presented proclaiming September as "Teen Court Month", and to Rebecca Bowser, Teen Coordinator, on behalf of the Teen Court Committee. Commendations were presented to Teen Court volunteers Meaghan Abell, James Hicks, Jr., and Deputy Dung Ross.

#### **DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT: PROPOSED AMENDMENTS TO THE TEXT AND MAPS OF THE COMPREHENSIVE ZONING**

**ORDINANCE TO IMPLEMENT THE LEXINGTON PARK DEVELOPMENT DISTRICT MASTER PLAN**

The proposed Text Amendments affect Schedules 32.1 (Page 32-2) and 32.2 (Page 32-2) of the Zoning Ordinance. A joint Public Hearing (Board of County Commissioners and Planning Commission) was held on August 8, 2006, on proposed amendments to the Comprehensive Zoning Ordinance as recommended by the Lexington Park Development District Master Plan. Density increases were proposed for the RH and CMX zones, and an increased building setback was proposed for the CMX where this zone abuts a residential zone. No objections were stated at the hearing regarding the density increases, and no comments were received after the Public Hearing with respect to the Text Amendments. Commissioner Raley noted at the hearing that increasing the buffer along with building setback should be considered part of the Text Amendment. Planning Commission Response: add language to footnote 4 of Schedule 32.1: 4. In CMX, 50 feet shall be added to a rear or side yard setback where the abutting property is an RL or RNC zone, and the required buffer yard shall be twice the depth and plantings of a “C” buffer.

On August 28, 2006 the Planning Commission discussed the proposed text amendments and found that they are consistent with the Comprehensive Plan and that adopting them would implement the Master Plan as well as promote the public health, safety, and welfare.

Commissioner Raley moved, seconded by Commissioner Jarboe, taking into account the Planning Commission’s recommendation as evidenced by Planning Commission Resolution Number 06-24 and based upon staff’s recommendation, to approve the proposed Text Amendments as submitted. Motion carried 5-0.

**DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT: LEXINGTON PARK COMPREHENSIVE REZONING**

PC Resolution No. 06-23; Attachment 1 to PC Resolution No. 06-23

Table 1: Zoning Changes Recommended by the Master Plan

Log	Owner(s) of Record	Subject Property Map / Parcel No.	Current	Recommended by the Planning Commission
P1A	William P & James G Bradley	43 / 23	CMX	No change
P1B	Thomas J Woodburn	43 / 512	CMX	No change
P1C	Martha Lloyd	43 / p/o 353	CMX	No change
P2A	Jeffrey H Giddings J/T Weining, Karin G &	43 / 46	OBP	RL
P2B	James David Puffenbarger	43 / 56	OBP	RMX/RL
P2C	Bonnie P, Holsinger	43 / 521	OBP	RMX
P3A	County Commissioners	27 / 18	RL/PUD	RL, no PUD
P4A	William Edward Sanner Jr	51 / p/o 158	CC	No change
P4B	Forest Hall LLC C/O Thomas A Harmon	51 / p/o 331	CC	No change

***The Board recommended that Staff prepare maps to bring back to the Board of County Commissioners for approval and those maps will be brought back reflecting Planning Commissions recommendations relative to Table 1.***

Relative to Log P2B recommended split zoning (RMX/RL); Commissioner Mattingly suggested confirmation with the zoning from the property owner. As an alternative, Denis Canavan suggested RL zoning for the entire property.

**Commissioner Raley moved, seconded by Commissioner Mattingly, with regards to Table 1, Parcels 23, 512, 353, 46, 18, and 158, to go along with the Planning Commission's Recommendations; and with regards to Parcels 56 and 521, the properties should be Zoned RL; and with regards to Parcel 331, the property should be Zoned RMX. Motion carried**

**5-0.**

**Table 2A: Zoning Changes to Correct Mapping Errors**

Log	Owner(s) of Record	Property: map / parcel	Current Zoning	Recommended by the Planning Commission
E01	Jimmy W Henson	43 / 129	RL/CMX	RL
E02	James C Lanham	43 / 8	RL/CMX	RL
E03	Gary K Johnson	43 / 178	RL/CMX	RL
E04	Vernon Thomas	43 / 117	RL/CMX	RL
E05	Michael T Hoey	43 / 557 Lot 28	RL/CMX	RL
E06	Steven C Ferwerda	43 / 557 Lot 30	RL/CMX	RL
E07	John A Male	43 / 557 Lot 31	RL/CMX	RL
E08	Julius Ladrangan	43 / 557 Lot 32	RL/CMX	RL
E09	H W Miller and Sons Inc	43 / 557 Lot 33	RL/CMX	RL
E10	Joseph R Thomas	43 / 156	RL/CMX	RL
E11	D & E Construction, Inc.	43 / 557 Lot 27	RL/CMX	RL
E12	Valerie J Boatwright	43 / 557 Lot 29	RL/CMX	RL
E13	James C Lanham	43 / 184	RL/CMX	RL
E14	Gordon Aldridge	34 / 68 and 69	RMX/RNC	RMX

**Commissioner Raley moved, seconded by Commissioner Jarboe, to go along with the Planning Commission's Recommendations for the properties as cited on Table 2A. Motion carried 5-0.**

**Table 2B: Zoning Changes to Correct Mapping Errors (PUDs)**

Log	PUD Name	Property: map / parcel	Corrections recommended by Planning Commission
PD01	Bean	51 / 372	Restore omitted boundary north of Pegg Road
PD02	Emerald Hills	43 and 51 / 246	Remove Baptist Church area
PD03	Greenview West	42 / 564	Remove parcels 142, 143, 257, 253, 199
PD04	Laurel Glen	42 / 229	Remove parcels 9, 10, 12, 95, and 146
PD05	Patuxent Park West	43 / 377	Restore omitted boundary north of Pegg Road
PD06	Westbury	51 / 601	Restore omitted boundary

**Commissioner Raley moved, seconded by Commissioner Jarboe, to go along with the Planning Commission's Recommendations for zoning changes on the properties as cited on Table 2B. Motion carried 5-0.**

**Table 3: Planning Commission Recommendations Regarding Zoning Changes**

Line	Requested by:	Property: map / parcel	Current	Proposed	Recommendation: Yes (Y) or No (N)
1	John Norris, Jr.	34 / 610	RMX	CMX	N: RMX is appropriate at this time.
2	Christopher Longmore	34 / 125 688	RMX	CMX	N: Continue RMX as currently configured.
3	Christopher Longmore	34 / 80 152	RMX	CMX	N: Continue RMX as currently configured.
4	Christopher Longmore	34 / 122 104	RNC	CMX	N: Continue RNC as currently configured.
5	Tana Glockner	34 / 78 Lots 502-1, 502-2	RMX	Commercial	N: Continue current RMX.
6	Suzan Sprinkle-Raley	34 / 578 77	RMX	Commercial	N: Continue current RMX.
7	Reza Naini	34 / 78 Lot 1	RMX	Commercial	N: Continue current RMX.
8	Arthur Miller	43 / 377	RL	RL	Y: Correct the boundary per Ordinance for Patuxent Park PUD north of Pegg Road.
9	Ed Curley III	43 / 562	CC/PDIP	CMX/RH	Y: PC supports 10 acres RH, 5.7 acres CMX as proposed.
10	Paul Colona	51 / 286 321	RMX	DMX or CMX	Y: CMX
11	Philip Dorsey, III	51 / 163	RL	RH	N: Plan does not support high density. Continue RL.
12	Butch Bailey	51 / 331	CC	DMX	N: Maintain current CC.
13	Eugene St. Clair	51 / A-B	CMX	RH	Y: Plan supports CMX for Parcel B (2 acres); PC recommends RH for Parcel A (6.6 acres).
14	Ed Curley III	51 / 591	OBP/APZ2	RH or CMX/APZ2	N: Maintain OBP.
15	Ed Curley III	51 / 319	RL/APZ2 (in part)	RH/APZ2 (in part)	N: Maintain RL.
16	Ed Curley III	51 / 417	RL (non-APZ portion)	RH (non-APZ2 portion)	N: Maintain RL.